

Article 3883 of the Revised Civil Statutes of 1925, as amended by Acts, 1930, Forty-first Legislature, Fourth Called Session, page 30, Chapter 20, said article relating to fees and compensation of county, district and precinct officers; declaring an emergency, and providing that this act shall become effective from and after its passage."

Have carefully compared same and found it correctly enrolled.

BOUNDS, Vice-Chairman.

Committee Room,
Austin, Texas, May 11, 1931.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 812, "An Act repealing Chapter 42, Acts of the First Called Session of the Thirty-seventh Legislature (the same being known as the Davidson road law), in so far as the same applies to Harrison county, Texas, and creating a more efficient road system for Harrison county, Texas; empowering the commissioners court to appoint a county engineer, prescribing his powers, duties, qualifications, term of office, salary, the manner of his removal, and providing for his oath and bond; vesting said county with authority to purchase or hire labor, tools, implements and machinery for road work; providing for the working of county convicts on the county roads and the purchasing of supplies for such convicts, and for the commutation of sentence for faithful and efficient service and good behavior, and for payment of fees to officers; providing that members of the commissioners court shall be ex-officio road commissioners and prescribing their powers and duties as such; prescribing powers of commissioners court in working, laying out, draining and repairing the public roads; providing for the payment of traveling expenses of county judge and county commissioners of seven cents (7c) per mile while traveling on county business relating to the roads or highways of said county; providing for budget of road funds; providing for appointment of persons to work delinquent poll taxpayers and delinquent road taxpayers; providing for width of right of way; providing that county shall not furnish side-crossings except in cases of emergency, and providing that commis-

sioners court and county engineer shall have control over the manner of constructing side-crossings; providing that delinquent poll taxpayers shall be liable to three (3) days' extra road service; providing that all able-bodied male persons between eighteen (18) and fifty (50) years of age shall be liable to road duty and shall pay road tax of three dollars (\$3) each year therefor, and providing for assessment and collection thereof, and providing for compensation of tax collector and tax assessor for their services; making it a misdemeanor to fail or refuse to do road duty after being summoned therefor and providing a penalty; providing for exemptions from road service; providing method of summoning delinquent poll taxpayers and delinquent road taxpayers; providing persons liable to road duty may furnish substitutes; providing for county to carry employers' liability insurance for benefit of employees of road and bridge department of said county; providing manner of purchasing supplies for road and bridge departments; providing for rewarding employees of road and bridge department for extra meritorious service; providing that this act shall be cumulative of all general laws not in conflict herewith, but in case of conflict this act to control, and declaring an emergency."

Have carefully compared same and find it correctly enrolled.

BOUNDS, Vice-Chairman.

FIFTY-THIRD DAY.

(Continued.)

(Tuesday, May 12, 1931.)

The House met at 9 o'clock a. m., and was called to order by Speaker Minor.

SENATE BILL NO. 259 ON PAS-SAGE TO THIRD READING.

The Speaker laid before the House, as pending business, on its passage to third reading.

S. B. No. 259, A bill to be entitled "An Act making appropriations for the support and maintenance of the State government for the two-year period beginning September 1, 1931, and ending August 31, 1933, and for other purposes, and prescribing cer-

tain regulations and restrictions in respect thereto, and declaring an emergency."

The bill having heretofore been read second time, with committee amendment by Mr. Sanders, pending.

The House having agreed to consider the amendment department by department.

Mr. Sherrill offered the following amendment to the section of the amendment relative to the Board of Medical Examiners:

Amend substitute to Senate bill No. 259, for lines 23, 24, 25, 26, 27 and 28, inclusive, substitute the following:

"State Board of Medical Examiners.

"To pay salary secretary-treasurer the sum of \$4000 for each year, the same to be paid from funds derived under the provisions of House bill No. 6, Regular Session, Forty-second Legislature; and provided, that said salary shall be in lieu of all of the fees or compensation to which the secretary-treasurer may be entitled by existing law, and shall be the total compensation for all services rendered as secretary-treasurer of the Board of Medical Examiners."

The amendment was adopted.

Mr. McCombs offered the following amendment to the section of the amendment relative to the State Department of Health:

Amend amendment to Senate bill No. 259, page 17, line 35, by adding between word "epidemiologist" and figures "3000," these words: "provided, none of the money shall be used to pay for the preparation of cartoons, maps, posters, designs, etc."

The amendment was adopted.

Mr. Terrell of Val Verde offered the following amendment to the section of the amendment relative to the State Insurance Commission:

Amend substitute for Senate bill No. 259, page 24, line 19, by changing the figures to read "\$3600," and in line 27 to read "\$3600."

The amendment was lost.

Mr. DeWolfe offered the following amendment to the section of the amendment relative to the Bureau of Labor Statistics:

Amend substitute for Senate bill No. 259, page 29, by striking out in line 18 "9000" wherever it appears and insert in lieu thereof "10,800," and by striking out in line 19 wher-

ever it appears "5400" and insert in lieu thereof "5600," and change the totals in line 21 to correspond.

The amendment was lost.

Mr. West of Coryell offered the following amendment to the section of the amendment relative to this department:

Amend substitute to Senate bill No. 259, page 29, by striking out line 16.

The amendment was lost.

Mr. DeWolfe offered an amendment to this section of the amendment.

The amendment was lost.

Mr. Sanders offered the following amendment to the section of the amendment relative to the State Department of Education:

Amend amendment to Senate bill No. 259 by striking out the word "and" in line 22, page 36, of the printed bill.

The amendment was adopted.

Mr. Adamson offered the following amendment to this section of the amendment:

Amend amendment to Senate bill No. 259, page 35, by adding between lines 10 and 11 the following:

"To pay school taxes to the Maydelle Independent School District of Cherokee county on State-owned lands in said district as provided by Chapter 39, Acts of the Fifth Called Session of the Forty-first Legislature, for the scholastic years beginning September 1, 1931, and 1932, \$202.61, \$202.61.

"The State Superintendent of Public Instruction shall approve vouchers drawn upon this fund by the school board of the Maydelle Independent School District and approved by the county superintendent of Cherokee county, and the Comptroller shall issue warrants for the payment of these amounts on October 1, 1931, and October 1, 1932, respectively."

(Mr. Satterwhite in the chair.)

The amendment was adopted.

Mr. Petsch moved to reconsider the vote by which the amendment was adopted.

The motion to reconsider prevailed.

(Speaker in the chair.)

Question then recurring on the amendment, it was lost.

Mr. Sanders offered the following amendments to this section of the

amendment relative to the State Highway Department:

(1)

Amend substitute for Senate bill No. 259, page 47, by correcting line 8 to read as follows: "Key punch operators, five, \$7500, \$7500."

(2)

Amend substitute for Senate bill No. 259, page 49 of the printed bill, by striking out all of lines 31 to 40, inclusive, and correct grand total, page 50, line 5, to conform thereto.

The amendments were severally adopted.

Mr. McGregor offered the following amendment to this section of the amendment:

Amend the amendment, page 49, printed bill, by adding after line 40 the following:

"The sum of five hundred thousand dollars (\$500,000), or so much thereof as may be necessary, to be paid out of the State Highway Department funds, and said sum of five hundred thousand dollars (\$500,000), or so much thereof as may be necessary, is hereby appropriated out of said funds of said Highway Department for such purpose, to erect a State office building to be known as the State Highway and Record Building; said building shall be erected on the east half of the half block of land on which the Travis county courthouse and jail are now located; such office building shall be of fireproof construction and shall be sufficiently commodious to house the State Highway Commission and all divisions of the State Highway Department, and all official State records and such other department or departments as the State Board of Control may deem advisable; provided, however, that the State Highway Department and the official State records shall be accorded adequate space in such building before any other department shall be placed therein; provided, also, that such building be erected with the State Board of Control and the State Highway Commission acting jointly in directing the erection of such building."

Mr. Steward offered the following substitute for the amendment by Mr. McGregor:

Substitute for the amendment to the amendment to Senate bill No. 259 to read as follows:

"The State Board of Control, acting jointly with the State Highway Commission, is hereby authorized and directed to erect a State Highway Building, to be known as such, together with all necessary and desirable shops; said building and shops shall be erected in the city of Waco, McLennan county, Texas, on a site to be approved by said Highway Commission and Board of Control within one year from the effective date of this act; and shall said Board of Control and said Highway Commission fail to agree on any such site, the Governor shall, within ninety days from the expiration of said year, designate such site in said city of Waco; and as soon as such site shall have been selected in either manner as above provided, the Board of Control shall convey notice of such selection to the mayor of the city of Waco by registered mail, and the city of Waco shall deed to, or cause to be deeded to, the State of Texas such site free of all cost and encumbrances within ninety days from the date of such notice or as soon thereafter as title may be perfected to the satisfaction of the Attorney General of this State.

"The aforementioned State Highway Building shall be of fireproof construction and shall be sufficiently commodious to properly house the corps of engineers and employes of said Highway Department, and shall contain a hearing room, where said Highway Commission may conduct hearings, and shall also contain ample space and room for all records and equipment belonging to said department, and for such other persons and space as said Commission may deem advisable. The aforementioned shops shall be of such design and construction as may be approved by said Highway Department.

"To carry out the provisions of this act, the sum of three hundred seventy-five thousand dollars (\$375,000), or so much thereof as may be necessary, shall be paid out of the State Highway Department funds, and said sum of three hundred seventy-five thousand dollars (\$375,000), or so much thereof as may be necessary, is hereby appropriated out of said funds of said Highway Department for such purpose."

STEWART,
FORD,
HARMAN,
WESTBROOK.

**BILLS AND RESOLUTION
SIGNED BY THE
SPEAKER.**

The Speaker signed, in the presence of the House, after giving due notice thereof and their captions had been read severally, the following enrolled bills and resolution:

S. B. No. 68, "An Act saving amendments from limitation, and declaring an emergency."

S. B. No. 387, "An Act amending Article 6869 by adding thereto another section, to be known as Article 6869a, authorizing the sheriff, with the consent of the commissioners court, to employ not to exceed three (3) deputies in counties of three hundred forty thousand (340,000) population or over, according to the 1930 Federal census, for the purpose of enforcing the Dean Law and other prohibition laws; prescribing the means and manner thereof; fixing the compensation and manner of payment, and declaring an emergency."

S. B. No. 311, "An Act to amend Article 7324 of the Revised Civil Statutes of 1925, providing for collectors of taxes to mail notices of tax delinquencies to record owners of lands and lots situated in the county, showing amount of taxes delinquent on said property, etc., and declaring an emergency."

H. C. R. No. 61, Relative to correcting House bill No. 355.

**CONFERENCE COMMITTEE RE-
PORT ON HOUSE BILL
NO. 453.**

Mrs. Hughes, chairman, submitted the following conference committee report on House bill No. 453:

Committee Room,
Austin, Texas, May 12, 1931.

Hon. Edgar Witt, President of the Senate, and Hon. Fred H. Minor, Speaker of the House of Representatives.

Sirs: We, your conference committee appointed to consider the differences between the two houses on

"H. B. No. 453, A bill to be entitled 'An Act to amend Acts of 1927, Fortieth Legislature, First Called Session, page 131, Chapter 42, Section 2, providing for the appointment of three (3) additional members of the State Board of Health; prescribing the qualifications of such additional members, providing the terms of of-

fice, fixing their compensation, and declaring an emergency,'"

Having met and after full and free conference have agreed to make, and do make, the following recommendations, to-wit:

(1) That the Senate recede from its amendment, which is as follows:

"Amend House bill No. 453, page 2, Section 1, by striking out, after line 22, the following: 'The State Health Officer shall be a member ex-officio of the Board, but shall not have the right to vote. The Board shall elect a chairman among the nine members of the Board, who shall serve for a period of two years or until a successor is elected'; and inserting in lieu thereof the following: 'The State Health Officer shall be a member ex-officio, and shall act as chairman of the Board of Health, but shall not have the right to vote,'"

And that the bill be finally passed as passed by the House except that the following be inserted in the caption: "election of chairman" after the word "office."

MOORE,
HOPKINS,
WOODULL,
WILLIAMSON,
THOMASON,

On the part of the Senate;

READER,
McCOMBS ,
HUGHES,
MOORE,
FINN,

On the part of the House.

On motion of Mrs. Hughes, the report was adopted by the following vote:

Yeas—105.

| | |
|-------------------|-----------|
| Adams of Hatris. | Daniel. |
| Adamson. | Davis. |
| Adkins. | Dodd. |
| Alsup. | Donnell. |
| Baker. | Dowell. |
| Barron. | Dunlap. |
| Bond. | Duvall. |
| Bounds. | Elliott. |
| Brice. | Farmer. |
| Bryant. | Ferguson. |
| Burns of Walker. | Finn. |
| Carpenter. | Fisher. |
| Claunch. | Forbes. |
| Coombes. | Ford. |
| Cox of Lamar. | Fuchs. |
| Cox of Limestone. | Gilbert. |
| Cunningham. | Giles. |
| Dale. | Goodman. |

| | |
|------------------|-------------------|
| Greathouse. | Murphy. |
| Grogan. | Nicholson. |
| Hanson. | Olsen. |
| Harman. | O'Quinn. |
| Harrison. | Patterson. |
| of El Paso. | Petsch. |
| Harrison | Pope. |
| of Waller. | Ramsey. |
| Hatchitt. | Ray. |
| Herzik. | Reader. |
| Hill. | Richardson. |
| Holder. | Rountree. |
| Holloway. | Sanders. |
| Hoskins. | Satterwhite. |
| Howsley. | Scott. |
| Hubbard. | Shelton. |
| Hughes. | Sherrill. |
| Johnson | Smith of Bastrop. |
| of Dimmit. | Smith of Wood. |
| Jones of Shelby. | Stephens. |
| Justiss. | Steward. |
| Keller. | Strong. |
| Kennedy. | Sullivant. |
| Laird. | Tarwater. |
| Lee. | Towery. |
| Lemens. | Turner. |
| Leonard. | Van Zandt. |
| Lilley. | Vaughan. |
| McDougald. | Veatch. |
| McGregor. | Wagstaff. |
| Magee. | Walker. |
| Mathis. | Warwick. |
| Moffett. | West of Coryell. |
| Moore. | Westbrook. |
| Morse. | Wyatt. |
| Munson. | Young. |

Nays—5.

| | |
|------------|---------|
| Albritton. | Farrar. |
| Boyd. | Hefley. |
| DeWolfe. | |

Absent.

| | |
|--------------------|------------------|
| Adams of Jasper. | Lasseter. |
| Akin. | Long. |
| Beck. | McCombs. |
| Bedford. | McGill. |
| Burns. | Martin. |
| of McCulloch. | Mehl. |
| Caven. | Metcalf. |
| Coltrin. | Ratliff. |
| Graves. | Rogers. |
| Hardy. | Sparkman. |
| Holland. | Terrell |
| Jackson. | of Val Verde. |
| Johnson | Weinert. |
| of Dallam. | West of Cameron. |
| Johnson of Morris. | Wiggs. |
| Kayton. | |

Absent—Excused.

| | |
|------------|--------------------|
| Anderson. | Jones of Atascosa. |
| Bradley. | Lockhart. |
| Brooks. | Savage. |
| Dwyer. | Stevenson. |
| Engelhard. | Terrell |
| Hines. | of Cherokee. |

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, May 12, 1931.

Hon. Fred H. Minor, Speaker of the
House of Representatives.

Sir: I am directed by the Senate
to inform the House that the Senate
has concurred in House amendments
to Senate bill No. 387 by the following
vote: Yeas 26, nays 0.

The Senate has adopted

S. R. No. 146, Requesting the House
to return House bill No. 907 to the
Senate for correction.

H. J. R. No. 12, Proposing to amend
the Constitution of the State of Texas
so as to provide that the Legislature
shall have no power to release or ex-
tinguish, or to authorize the releasing
or extinguishing, in whole or in part,
the indebtedness, liability or obliga-
tion of any corporation or individual
to this State or to any county or
defined subdivision thereof, or other
municipal corporation therein, except
delinquent taxes which have been due
for a period of at least four years.

S. J. R. No. 18, Proposing an
amendment to Section 9 of Article 8
of the Constitution, authorizing an
additional levy to taxes by political
subdivisions of the State not to ex-
ceed two mills on the one dollar (\$1)
valuation; calling and providing for
an election for the purpose of submit-
ting said amendment to the people;
providing means and manner thereof,
and making an appropriation there-
for.

The Senate has passed

S. B. No. 602, A bill to be entitled
"An Act to amend Article 609 of the
Revised Civil Statutes of 1925, and
declaring an emergency."

H. B. No. 619, A bill to be entitled
"An Act providing for and authoriz-
ing the exchange between the State
of Texas and the Houston and Texas
Central Railroad Company of certain
lands belonging to them, respectively,
situated in Waller county, Texas, and
the execution of deeds of conveyance
effecting such exchange, placing the
land to be so acquired and conveyed
to the State in and under the posses-
sion, control and management of the
State Highway Commission and con-
stituting the same a part of the right
of way for State Highway No. 6, in
Waller county, and declaring an emer-
gency."

S. B. No. 620, A bill to be entitled "An Act to amend Article 331 of the Revised Civil Statutes of 1925, and declaring an emergency."

H. B. No. 713, A bill to be entitled "An Act providing for the transfer of title of certain lands to the State Highway Commission, consisting of two separate tracts, one being across Copano Pass in Aransas county, the other across Lavaca Bay in Calhoun county, lying under, along and adjacent to the causeways and their approaches now under construction on State Highway No. 57, and declaring an emergency."

The Senate has adopted the conference committee report on House bill No. 453 by the following vote: Yeas 28, nays 0.

Respectfully,

BOB BARKER,
Secretary of the Senate.

NOTICES GIVEN.

Mr. Beck gave notice that he would, on tomorrow, move to take up, for consideration at that time, the motion to reconsider the vote by which Senate joint resolution No. 2 failed to pass, which motion to reconsider was spread on the Journal.

Mr. Pope gave notice that he would, on tomorrow, move to take up, for consideration at that time, House bill No. 91, which bill had heretofore been laid on the table subject to call.

Mr. Adams of Jasper gave notice that he would, on tomorrow, move to take up, for consideration at that time, House bill No. 414, which bill had heretofore been laid on the table subject to call.

RECESS.

On motion of Mr. Ratliff, the House, at 12 o'clock m., took recess to 2 o'clock p. m. today.

AFTERNOON SESSION.

The House met at 2 o'clock p. m., and was called to order by the Speaker.

HOUSE BILL NO. 964 ON SECOND READING.

The Speaker laid before the House, as a special order for this hour, on its second reading and passage to engrossment,

H. B. No. 964, A bill to be entitled "An Act releasing the inhabitants of and property in Orange county from the payment of taxes levied for State purposes for a period of twenty-five (25) years, etc., and declaring an emergency."

The bill was read second time.

Mr. McDougald offered the following (committee) amendment to the bill:

Strike out all above and below the enacting clause and insert in lieu thereof the following:

"A bill to be entitled An Act releasing the inhabitants of and property in Orange county from the payment of taxes levied for State purposes for a period of twenty-five (25) years; providing generally the means and manner thereof; providing that three-fourths of the State occupation taxes levied and collected in said county shall be released in the same manner where collected through local officers; providing for the establishment of a conservation and reclamation district in said county, and the means, manner and time thereof, and for the issuance of bonds by said district, and for the collection of said taxes and creation of a sinking fund out of which said bonds and interest shall be paid, in the same manner as bonds are now authorized to be issued and paid; providing the purposes of said district, prescribing certain limitations and conditions; providing generally for the carrying out of the purposes hereof, and declaring an emergency."

Whereas, The lower half of Orange county, which borders on Sabine lake, has an average elevation of less than four feet above sea level, and the upper half has an average elevation of less than twelve feet above sea level; and during severe storms and hurricanes, the major portion of the county is subjected to tidal waves and overflows; and the great and disastrous gulf storms in 1900, 1915 and 1919 flooded Orange county with salt water, ruining crops, damaging soils, drowning cattle, and threatening human life, which causes a great calamity; and

Whereas, The whole of Orange county lies between the two largest rivers in the State, to-wit, the Sabine and Neches, and these rivers constantly inundate Orange county when they are in flood; and in 1915, 1919 and

1929, the flood waters of the Sabine and Neches Rivers met on, and flowed over Orange county, thereby causing great damage and loss which was a great public calamity; and

Whereas, All the interests of Orange county, agricultural, commercial, industrial and stock raising, by reason of said calamitous inundations and overflows and almost certain recurrence thereof, unless such calamity is prevented by providing levees, adequate drainage, and deeper waterways and aids thereto, for the protection and prosperity of the property and inhabitants thereof, and for the particular development of the waterways and drainage now existing and for the continuous development of Orange county, and for the purpose of aiding and protecting said Orange county and the property and citizens therein, and the citizens of the State of Texas who own property therein, to the end that increased revenues will inure to the State of Texas in succeeding years. Therefore

Be it enacted by the Legislature of the State of Texas:

Section 1. That because of great public calamities occurring in the county of Orange, the inhabitants of and the property of said county in accordance with Section 10, Article 8, of the State Constitution shall be and are hereby released, for a period of twenty-five years, as hereinafter provided, from the payment of taxes levied for State purposes in the said county as follows:

All of the State ad valorem taxes levied for State purposes against the inhabitants and property in the county of Orange, including the rolling stock belonging to railroad companies, which shall be ascertained and apportioned as provided by law.

Sec. 2. It is expressly provided and to be held as a condition of the release from the payment of such taxes that the resident property taxpayers, who are qualified voters of Orange county, shall by or before September 1st, 1931, form a conservation and reclamation district, the boundaries of which shall be coincident with the boundaries of Orange county, and said conservation and reclamation district shall, on or before January, 1932, vote an issue of bonds of said county-wide district in an amount that will require for a period of twenty-five years a tax to be levied upon the taxable

property in said county-wide district of not less than the State tax hereby released and the maximum amount the development and drainage county-wide district can issue for purposes hereinafter mentioned, such bonds to be voted and issued as provided by law as now or hereafter existing, for the purpose of developing the waterways and the facilities thereof, and enlarging the present drainage system; as well as to retire and refund bonds now outstanding for any of the above purposes, and particularly for the purpose of preventing a recurrence of such calamities. Providing that when the sinking fund created under the provision of this act shall become sufficient to retire the bonds provided to be issued hereunder based on the 1931 valuations, this act shall cease to be operative and the release of taxes hereby made shall cease.

Sec. 3. The tax assessor of Orange county shall assess for taxation the property and persons, firms, companies and associations of persons in said county in the usual manner as required by law, and the tax collector of said county shall, or shall not, collect the said State taxes, as he may be ordered and directed to do by the Comptroller of Public Accounts as hereinafter provided.

Sec. 4. A duly certified copy of the order canvassing the returns and declaring the result of the election at which the question of issuing such bonds is voted upon together with satisfactory proof of the issuance of the bonds provided for in Section 2 hereof shall be furnished to the Comptroller of Public Accounts. If such certified order shall be presented to the Comptroller of Public Accounts prior to January 1st, 1932, and shall evidence the result of the election as in favor of the issuance of such bonds, it shall be the duty of the Comptroller of Public Accounts to at once order and direct the tax collector of Orange county not to collect the taxes levied for State purposes for the year 1932 and released by this act, and the said tax collector shall not collect said taxes for this said year, and the inhabitants of and property in said county, shall, as hereinabove provided, be released from the payment of said taxes for a period of twenty-five (25) years beginning with and including the year 1932; but if the said certified order is not presented to the Comptroller of Public Accounts before

January 1st, 1932, he shall order and direct said tax collector to collect said taxes for said year and pay the same into the State Treasury as required by law. If said certified order and proof of issuance of bonds shall be presented to the Comptroller of Public Accounts after January 1st, 1932, and before January 1st, 1933, and shall evidence the result of the election as in favor of the issuance of such bonds, it shall be the duty of the Comptroller of Public Accounts to at once order and direct the tax collector of Orange county not to collect the taxes levied for State purposes for the year 1933 and release by this act, and the said tax collector shall not collect said taxes for said year, and the inhabitants of and property in said county shall, as hereinbefore provided, be released from the payment of said taxes for a period of twenty-five (25) years beginning with and including the year 1933; but if said certified order is not presented to the Comptroller of Public Accounts before January 1st, 1933, he shall order and direct said tax collector to collect said taxes for said year 1933, and pay the same into the State Treasury as required by law. In case of the failure of said county to vote for the issuance of such bonds and to present said certified order to the Comptroller of Public Accounts before January 1st, 1933, then this act shall become null and void and of no further effect.

Sec. 5. The fact that Orange county, the surrounding and adjoining counties and the State all suffer from the calamities herein mentioned as occurring in Orange county, and the further fact that improvements should be made at the earliest possible date to prevent the recurrence of such calamities, create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three separate days be suspended, such rule is hereby suspended, and this act shall take effect and be in force from and after its passage, and it is so enacted.

Mr. McDougald offered the following amendments to the (committee) amendment:

(1)

Amend committee substitute for House bill No. 964 by striking out in line three (3), page two (2), the words "unless such calamity is" and inserting in lieu thereof the follow-

ing: "have suffered and will continue to suffer great public calamities unless such calamities are."

(2)

Amend committee substitute for House bill No. 964 by striking out in line three (3), page two (2), the words "unless such calamity is" and inserting in lieu thereof the following: "have suffered and will continue to suffer great public calamities unless such calamities are."

(3)

Amend committee substitute of House bill No. 964 on page 2 by striking out all that portion from line 14 to line 20, both lines inclusive, and inserting in lieu thereof the following:

"Section 1. That because of great public calamities occurring in the county of Orange, the inhabitants of and the property of said county, in accordance with the State Constitution, shall be, and are hereby, released of, donated and granted, for a period of twenty-five (25) years, as hereinafter provided, the taxes levied for State purposes in said county as follows:"

The amendments were severally adopted.

Mr. McDougald offered the following amendment to the (committee) amendment:

Amend committee substitute for House bill No. 964 by striking out in line twenty-one (21), page two (2), the word "all" and insert in lieu thereof the following: "nine-tenths (9/10)."

Mr. Kennedy offered the following substitute for the amendment:

Amend House bill No. 964 on page 2, line 21, by adding "three-fourths" before "all" in said line.

Mr. Davis moved the previous question on the pending amendments and the bill, and the main question was ordered.

Mr. Burns of McCulloch moved to reconsider the vote by which the main question was ordered.

On motion of Mr. Keller, the motion to reconsider was tabled.

Question recurring on the amendment by Mr. Kennedy, it was lost.

Question then recurring on the amendment by Mr. McDougald, it was adopted.

The committee amendment as amended was then adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes made in the body of the bill.

House bill No. 964 was then passed to engrossment by the following vote:

Yeas—82.

| | |
|-------------------|-------------------|
| Adams of Harris. | Hubbard. |
| Adams of Jasper. | Jackson. |
| Adamson. | Johnson |
| Adkins. | of Dimmit. |
| Albritton. | Jones of Shelby. |
| Alsup. | Justiss. |
| Baker. | Laird. |
| Barron. | Lasseter. |
| Beck. | Leonard. |
| Bedford. | Lilley. |
| Boyd. | Long. |
| Burns of Walker. | McCombs. |
| Carpenter. | McDougald. |
| Caven. | McGill. |
| Coltrin. | McGregor. |
| Cox of Lamar. | Magee. |
| Cox of Limestone. | Mathis. |
| Dale. | Metcalf. |
| Daniel. | Moore. |
| Davis. | Murphy. |
| Donnell. | Nicholson. |
| Dunlap. | Olsen. |
| Duval. | O'Quinn. |
| Elliott. | Patterson.* |
| Finn. | Pope. |
| Ford. | Ramsey. |
| Fuchs. | Richardson. |
| Gilbert. | Satterwhite. |
| Greathouse. | Shelton. |
| Grogan. | Sherrill. |
| Harman. | Smith of Bastrop. |
| Harrison | Smith of Wood. |
| of El Paso. | Sparkman. |
| Harrison | Steward. |
| of Waller. | Strong. |
| Hatchitt. | Sullivant. |
| Hefley. | Towery. |
| Herzik. | Turner. |
| Hill. | Wagstaff. |
| Hines. | West of Cameron. |
| Holder. | Westbrook. |
| Holland. | Wyatt. |
| Holloway. | |

Nays—32.

| | |
|---------------|------------|
| Bond. | Ferguson. |
| Bounds. | Forbes. |
| Brooks. | Goodman. |
| Bryant. | Graves. |
| Burns | Hanson. |
| of McCulloch. | Howsley. |
| Claunch. | Johnson |
| Coombes. | of Dallam. |
| Dodd. | Kennedy. |
| Farmer. | Lee. |
| Farrar. | Moffett. |

| | |
|-----------|-----------------------|
| Morse. | Terrell of Val Verde. |
| Petsch. | Van Zandt. |
| Ratliff. | Veatch. |
| Ray. | Walker. |
| Rogers. | West of Coryell. |
| Stephens. | Wiggs. |

Present—Not Voting.

| | |
|---------|----------|
| Dowell. | Scott. |
| Fisher. | Vaughan. |
| Giles. | Young. |
| Kayton. | |

Absent.

| | |
|--------------------|-----------|
| Akin. | Martin. |
| Brice. | Mehl. |
| DeWolfe. | Munson. |
| Hardy. | Reader. |
| Hoskins. | Rountree. |
| Hughes. | Sanders. |
| Johnson of Morris. | Tarwater. |
| Jones of Atascosa. | Warwick. |
| Keller. | Weinert. |
| Lemens. | |

Absent—Excused.

| | |
|-------------|--------------|
| Anderson. | Lockhart. |
| Bradley. | Savage. |
| Cunningham. | Stevenson. |
| Dwyer. | Terrell |
| Engelhard. | of Cherokee. |

Paired.

Mr. Dowell (present), who would vote "nay," with Mr. Dwyer (absent), who would vote "yea."

Mr. Young (present), who would vote "nay," with Mr. Stevenson (absent), who would vote "yea."

Mr. Vaughan (present), who would vote "nay," with Mr. Munson (absent), who would vote "yea."

Mr. Kayton (present), who would vote "nay," with Mr. Martin (absent), who would vote "yea."

Mr. Scott (present), who would vote "nay," with Mr. Reader (absent), who would vote "yea."

HOUSE BILL NO. 964 ON THIRD READING.

Mr. McDougald moved that the constitutional rule requiring bills to be read on three several days be suspended, and that House bill No. 964 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—97.

| | |
|------------------|----------|
| Adams of Harris. | Adamson. |
| Adams of Jasper. | Adkins. |

| | |
|-------------------|-------------------|
| Albritton. | Johnson |
| Alsup. | of Dimmit. |
| Baker. | Jones of Shelby. |
| Barron. | Keller. |
| Beck. | Laird. |
| Bedford. | Lasseter. |
| Bond. | Leonard. |
| Boyd. | Lilley. |
| Burns of Walker. | Long. |
| Carpenter. | McCombs. |
| Caven. | McGill. |
| Claunch. | McGregor. |
| Coltrin. | Magee. |
| Cox of Lamar. | Mathis. |
| Cox of Limestone. | Metcalf. |
| Dale. | Moffett. |
| Daniel. | Moore. |
| Davis. | Morse. |
| Donnell. | Murphy. |
| Dunlap. | Nicholson. |
| Duvall. | Olsen. |
| Elliott. | O'Quinn. |
| Finn. | Patterson. |
| Ford. | Petsch. |
| Fuchs. | Pope. |
| Gilbert. | Ramsey. |
| Giles. | Ratliff. |
| Goodman. | Ray. |
| Greathouse. | Richardson. |
| Grogan. | Satterwhite. |
| Harman. | Shelton. |
| Harrison | Sherrill. |
| of El Paso. | Smith of Bastrop. |
| Harrison | Smith of Wood. |
| of Waller. | Sparkman. |
| Hatchitt. | Steward. |
| Hefley. | Strong. |
| Herzik. | Sullivant. |
| Hill. | Towery. |
| Hines. | Turner. |
| Holder. | Van Zandt. |
| Holland. | Wagstaff. |
| Holloway. | Walker. |
| Hoskins. | West of Coryell. |
| Howsley. | West of Cameron. |
| Hubbard. | Westbrook. |
| Jackson. | Wyatt. |
| Johnson | Young. |
| of Dallam. | |

Nays—18.

| | |
|---------------|---------------|
| Bounds. | Forbes. |
| Brooks. | Graves. |
| Bryant. | Hanson. |
| Burns | Justiss. |
| of McCulloch. | Kennedy. |
| Coombes. | Rogers. |
| Dodd. | Terrell |
| Farmer. | of Val Verde. |
| Farrar. | Veatch. |
| Ferguson. | Wiggs. |

Present—Not Voting.

| | |
|---------|---------|
| Dowell. | Fisher. |
|---------|---------|

Absent.

| | |
|--------------------|-----------|
| Akin. | Mehl. |
| Brice. | Munson. |
| DeWolfe. | Reader. |
| Hardy. | Rountree. |
| Hughes. | Sanders. |
| Johnson of Morris. | Scott. |
| Jones of Atascosa. | Stephens. |
| Kayton. | Tarwater. |
| Lee. | Vaughan. |
| Lemens. | Warwick. |
| McDougald. | Weinert. |
| Martin. | |

Absent—Excused.

| | |
|-------------|--------------|
| Anderson. | Lockhart. |
| Bradley. | Savage. |
| Cunningham. | Stevenson. |
| Dwyer. | Terrell |
| Engelhard. | of Cherokee. |

The Speaker then laid House bill No. 964 before the House on its third reading and final passage.

The bill was read third time.

Mr. Ray offered the following amendment to the bill:

Amend House bill No. 964, on page 2, by adding after the word "follows" in line 20, the following: "provided, that the tax on no natural resources shall be exempted or released by the State to the county of Orange."

RAY,
KENNEDY.

Mr. Morse moved the previous question on the pending amendment and the bill, and the main question was ordered.

Question first recurring on the amendment by Mr. Ray, it was lost.

House bill No. 964 was then passed by the following vote:

Yeas—84.

| | |
|-------------------|-------------|
| Adams of Harris. | Cunningham. |
| Adams of Jasper. | Dale. |
| Adamson. | Daniel. |
| Adkins. | Davis. |
| Albritton. | Donnell. |
| Alsup. | Dunlap. |
| Baker. | Elliott. |
| Barron. | Finn. |
| Beck. | Ford. |
| Bedford. | Fuchs. |
| Bond. | Gilbert. |
| Boyd. | Grogan. |
| Burns of Walker. | Harman. |
| Carpenter. | Harrison |
| Caven. | of El Paso. |
| Coltrin. | Harrison |
| Cox of Lamar. | of Waller. |
| Cox of Limestone. | Hatchitt. |

| | |
|------------------|-------------------|
| Hefley. | Moore. |
| Herzik. | Murphy. |
| Hill. | Nicholson. |
| Hines. | Olsen. |
| Holder. | O'Quinn. |
| Holland. | Patterson. |
| Holloway. | Petsch. |
| Hoskins. | Pope. |
| Hubbard. | Ramsey. |
| Jackson. | Richardson. |
| Johnson | Satterwhite. |
| of Dallam. | Shelton. |
| Jones of Shelby. | Sherrill. |
| Justiss. | Smith of Bastrop. |
| Keller. | Smith of Wood. |
| Laird. | Sparkman. |
| Lemens. | Steward. |
| Lilley. | Strong. |
| Long. | Sullivant. |
| McCombs. | Towery. |
| McDougald. | Turner. |
| McGill. | Wagstaff. |
| McGregor. | West of Cameron. |
| Magee. | Westbrook. |
| Mathis. | Wyatt. |
| Metcalfe. | |

Nays—29.

| | |
|---------------|--------------------|
| Bounds. | Hardy. |
| Brooks. | Howsley. |
| Bryant. | Johnson of Morris. |
| Burns | Kennedy. |
| of McCulloch. | Lee. |
| Claunch. | Moffett. |
| Coombes. | Morse. |
| Dodd. | Ratliff. |
| Farmer. | Ray. |
| Farrar. | Rogers. |
| Ferguson. | Van Zandt. |
| Forbes. | Veatch. |
| Goodman. | Walker. |
| Graves. | West of Coryell. |
| Hanson. | Wiggs. |

Present—Not Voting.

| | |
|---------|----------|
| Brice. | Kayton. |
| Dowell. | Scott. |
| Fisher. | Vaughan. |
| Giles. | Young. |

Absent.

| | |
|--------------------|---------------|
| Akin. | Mehl. |
| DeWolfe. | Munson. |
| Duvall. | Reader. |
| Greathouse. | Rountree. |
| Hughes. | Sanders. |
| Johnson | Stephens. |
| of Dimmit. | Tarwater. |
| Jones of Atascosa. | Terrell |
| Lasseter. | of Val Verde. |
| Leonard. | Warwick. |
| Martin. | Weinert. |

Absent—Excused.

| | |
|-----------|------------|
| Anderson. | Dwyer. |
| Bradley. | Engelhard. |

| | |
|------------|--------------|
| Lockhart. | Terrell |
| Savage. | of Cherokee. |
| Stevenson. | |

Paired.

Mr. Dowell (present), who would vote "nay," with Mr. Dwyer (absent), who would vote "yea."

Mr. Young (present), who would vote "nay," with Mr. Stevenson (absent), who would vote "yea."

Mr. Scott (present), who would vote "nay," with Mr. Reader (absent), who would vote "yea."

Mr. Vaughan (present), who would vote "nay," with Mr. Munson (absent), who would vote "yea."

Mr. Kayton (present), who would vote "nay," with Mr. Martin (absent), who would vote "yea."

Mr. McDougald moved to reconsider the vote by which the bill was passed, and to table the motion to reconsider.

The motion to table prevailed.

BILLS ORDERED NOT PRINTED.

(By Unanimous Consent.)

On motion of Mr. Satterwhite, Senate bill No. 502 was ordered not printed.

On motion of Mr. Warwick, Senate bill No. 619 was ordered not printed.

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, May 12, 1931.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has adopted

H. C. R. No. 46, Relative to sine die adjournment.

Respectfully,

BOB BARKER,
Secretary of the Senate.

AUTHORIZING CERTAIN CORRECTIONS IN HOUSE BILL NO. 81.

Mr. Bond offered the following resolution:

H. C. R. No. 62, Authorizing certain corrections in House bill No. 81.

Whereas, House bill No. 81 as heretofore passed both the House of Representatives and the Senate, with amendments placed thereon by the

Senate and concurred in by the House, but the caption of said bill was not amended so as to correspond with the amendments placed thereon by the Senate; therefore, be it

Resolved by the House of Representatives, concurred in by the Senate, That the Enrolling Clerk of the House be and is hereby directed to amend the caption of House bill No. 81 so as to correspond with the body of the bill.

The resolution was read second time, and was adopted.

REQUEST OF THE SENATE GRANTED.

On motion of Mr. Van Zandt, the House granted the request of the Senate for the return of House bill No. 907.

BILLS AND RESOLUTIONS SIGNED BY THE SPEAKER.

The Speaker signed, in the presence of the House, after giving due notice thereof and their captions had been read severally, the following enrolled bills and resolutions:

H. C. R. No. 46, Providing for adjournment sine die.

H. C. R. No. 62, Relative to correcting House bill No. 81.

H. B. No. 915, "An Act making it unlawful for any person in using a seine or net for the taking of any fish in Cass or Bowie counties, to disturb, agitate or beat upon or in the waters at the time of using said seines or nets; fixing a penalty, and declaring an emergency."

H. B. No. 355, "An Act to amend Article 3914, Revised Civil Statutes, 1925, relating to fees collected by the Secretary of State, and declaring an emergency."

MOTIONS FOR SPECIAL ORDER.

Mr. Beck moved that House bill No. 302 be set as a special order for 2 o'clock p. m. next Friday.

The motion was lost.

Mr. Hatchitt moved that House bill No. 864 be set as a special order for 10 o'clock a. m. next Friday.

The motion was lost.

Mr. Laird moved that House bill No. 183 be set as a special order for 10 o'clock a. m. next Friday.

The motion was lost.

NOTICE GIVEN.

Mr. Holder gave notice that he would, on tomorrow, move to take up for consideration at that time, House joint resolution No. 9, which resolution had heretofore been laid on the table subject to call.

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, May 12, 1931.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

H. B. No. 241, A bill to be entitled "An Act making an appropriation to reimburse persons, firms and corporations for losses sustained during the years of 1929 and 1930 by reason of the establishment by the State of Texas of regulated and restricted zones in certain areas of the State requiring such persons, firms and corporations to pay money for the sterilization of seed and the fumigation of cotton, etc., and declaring an emergency," with amendments.

H. B. No. 907, A bill to be entitled "An Act fixing a period of time when it shall be lawful to take and hunt and kill squirrels in Panola county; defining a misdemeanor, and declaring an emergency," with amendments.

H. B. No. 1006, A bill to be entitled "An Act amending Chapter 91, Acts First Called Session, Fortieth Legislature, as amended by Chapter 77, Acts First Called Session, Forty-first Legislature, and declaring an emergency."

Respectfully,

BOB BARKER,
Secretary of the Senate.

SENATE BILL NO. 259 ON PAS- SAGE TO THIRD READING.

The House resumed consideration of pending business, same being Senate bill No. 259, making an appropriation for the support of the various State departments, on its passage to third reading.

The bill having heretofore been read second time, with committee amendment by Mr. Sanders, amendment by Mr. McGregor to the committee amendment, and substitute by Mr. Steward for the amendment by Mr. McGregor, pending.

Mr. Holder moved the previous question on the pending amendments by Mr. McGregor and Mr. Steward, and the motion was duly seconded.

Question recurring on the motion for the main question, it was lost.

(Mr. McCombs in the chair.)

Mr. Van Zandt moved the previous question on the pending amendments by Mr. McGregor and Mr. Steward, and the main question was ordered.

Mr. Petsch raised the following point of order:

We make the point of order that the substitute is out of order because the same is contrary to Article 3, Section 59, of the State Constitution, and because it proposes to repeal Article 6663, Revised Civil Statutes, 1925, by means of an amendment to an appropriation bill, in violation of Section 35, Article 3, Constitution of the State of Texas, and because Article 6663, Revised Civil Statutes, cannot be repealed except by a bill setting out such purpose, and following the course prescribed for a bill by the Constitution.

DAVIS,
FERGUSON,
PETSCH.

Question first recurring on the amendment by Mr. Steward, it was lost.

Mr. Harman raised the following point of order on the amendment by Mr. McGregor:

I make the point of order that the amendment is unconstitutional for the reason that it is in conflict with Article 6674, Revised Statutes of 1925, and Article 6674e, Revised Statutes of 1925.

Question next recurring on the amendment by Mr. McGregor, it was adopted.

Mr. Graves moved to reconsider the vote by which the amendment was adopted, and to table the motion to reconsider.

The motion to table prevailed.

CONFERENCE COMMITTEE ON SENATE BILL NO. 375.

The Speaker announced the appointment of the following conference committee on Senate bill No. 375:

Messrs. Petsch, Ferguson, Kennedy, Adams of Harris, and Mrs. Rountree.

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, May 12, 1931.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

H. B. No. 258, A bill to be entitled "An Act amending Article 7150, Section 1, of the Revised Civil Statutes of 1925, of the State of Texas, by adding thereto a provision exempting a dwelling place for the ministry of such church or religious society, and declaring an emergency," with amendments.

The Senate has refused to concur in House amendments to Senate concurrent resolution No. 45, and requests the appointment of a conference committee. The following have been appointed on part of the Senate: Messrs. Holbrook, Hopkins, Woodward, Martin and Cousins.

The Senate has adopted.

H. C. R. No. 62, Instructing the Enrolling Clerk of the House to amend the caption of House bill No. 81.

The Senate has passed

S. B. No. 244, A bill to be entitled "An Act to give and grant to O. Luthe leave and permission to prosecute in the proper courts of Harris county, Texas, suit or suits against the State of Texas and the members of the Texas Prison Board, in their official capacity only, for damages sustained by reason of a collision between his truck and a truck of the Texas Prison System on or about November 20, 1929, and declaring an emergency."

S. B. No. 507, A bill to be entitled "An Act to amend Section 1, Chapter 10, Acts of the Fourth Called Session of the Forty-first Legislature, and declaring an emergency."

S. B. No. 553, A bill to be entitled "An Act prohibiting corporations, associations, and societies, and the agents, representatives, officers and directors thereof or therefor, from making certain misrepresentations and circulating false literature concerning the value, contents or provisions of certain insurance policies or certificates; prohibiting the making of any misrepresentations or issuance of any statements in regard to the value or contents of any policy of any company or association for

the purpose of causing said policy to be forfeited, lapsed or surrendered; prohibiting causing or permitting of same to be done by such persons generally; prescribing offenses, fines, penalties and punishment, and declaring an emergency."

Respectfully,
BOB BARKER,
Secretary of the Senate.

CONFERENCE COMMITTEE RE-
PORT ON SENATE BILL
NO. 72.

Mr. Leonard submitted the following conference committee report on Senate bill No. 72:

Committee Room,
Austin, Texas, May 12; 1931.

Hon. Edgar E. Witt, President of the Senate, and Hon. Fred H. Minor, Speaker of the House of Representatives.

Sirs: We, your free conference committee on Senate bill No. 72, appointed to adjust the differences between the House and Senate on said bill, beg leave to report that we have agreed upon the differences between the two houses on said bill and recommend that the following bill be adopted:

S. B. No. 72.

Parr.

A BILL
To Be Entitled

An Act amending Section 79 of Article 199, Title 8, Revised Civil Statutes of 1925, changing the Seventy-ninth Judicial District; providing the jurisdiction of the Seventy-ninth and Ninety-second District courts, and fixing the terms of said courts; providing for the return of all processes, recognizances, writs and bonds issued, served, executed or entered into; prescribing the duties of such courts; providing for transfer of cases or benches between the Ninety-third and Ninety-second and Seventy-ninth Judicial Districts, and the preparation and or arrangement of the dockets of the district courts of the Ninety-third and Ninety-second and Seventy-ninth Judicial Districts; creating the Ninety-second Judicial District, providing for the appointment and future election of a judge of the Ninety-second Judicial Dis-

trict, and prescribing the amount and manner of paying the salary of such judge; transferring certain jurisdiction of the county court of Hidalgo county to the district court of the Ninety-second Judicial District; providing that the county attorney of Hidalgo county shall also serve as district attorney in the district courts of the Ninety-third and Ninety-second Judicial Districts; providing for the judge and district attorney to continue as such of the Seventy-ninth Judicial District; prescribing the time of the taking effect hereof, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That Section 79 of Article 199, Title 8, of the Revised Civil Statutes of 1925, creating the Seventy-ninth Judicial District, be, and the same is hereby, amended so as to hereafter read as follows:

"Section 79. The Seventy-ninth Judicial District shall, after this act takes effect, be composed of the counties of Starr, Brooks, Duval and Jim Wells, and the Seventy-ninth District Court shall be held in the said counties as follows:

"In Starr County.

"One term, beginning on the first Monday in January and may continue in session three weeks; one term beginning on the twelfth Monday after the first Monday in January, and may continue in session three weeks; one term beginning on the twenty-fourth Monday after the first Monday in January, and may continue in session three weeks; one term beginning on the sixth Monday after the first Monday in September, and may continue in session three weeks.

"In Brooks County.

"One term beginning on the third Monday after the first Monday in January, and may continue in session three weeks; one term beginning on the fifteenth Monday after the first Monday in January, and may continue in session three weeks; one term beginning on the twenty-seventh Monday after the first Monday in January, and may continue in session three weeks; one term beginning on the ninth Monday after the

first Monday in September, and may continue in session three weeks.

"In Duval County.

"One term beginning on the ninth Monday after the first Monday in January, and may continue in session three weeks; one term beginning on the twenty-first Monday after the first Monday in January, and may continue in session three weeks; one term beginning on the third Monday after the first Monday in September, and may continue in session three weeks; one term beginning on the fifteenth Monday after the first Monday in September, and may continue in session through the last Saturday before the first Monday of the succeeding year.

"In Jim Wells County.

"One term beginning on the sixth Monday after the first Monday in January, and may continue in session three weeks; one term beginning on the eighteenth Monday after the first Monday in January, and may continue in session three weeks; one term beginning on the first Monday in September, and may continue in session three weeks; one term beginning on the twelfth Monday after the first Monday in September, and may continue in session three weeks.

"All processes, recognizances, writs and bonds issued, served or entered into for the district court of any of the counties constituting the Seventy-ninth Judicial District before this act goes into effect shall be returned to the proper court from which they were issued in accordance with the provisions thereof."

Sec. 2. This act shall be in effect from and after January 1, 1932; provided, that upon the taking effect of this act there shall be, and there is, created the Ninety-second Judicial District, the limits of which shall be co-extensive with the limits of Hidalgo county.

(a) The district court of the Ninety-second Judicial District shall have and exercise the jurisdiction prescribed by the Constitution and laws of this State for district courts in general, and the judge thereof shall have and exercise the powers conferred by the Constitution and laws of this State on the judges of dis-

trict courts. Its jurisdiction shall be concurrent with that of the district court of Hidalgo county for the Ninety-third Judicial District.

(b) The terms of the district court, Ninety-second Judicial District, shall begin on the first Mondays, respectively, in January, 1932; March, 1932; May, 1932; September, 1932; November, 1932; and thereafter on the first Mondays of January, March, May, September and November of each year; and each term of said court may continue in session for eight weeks.

(c) In addition to the jurisdiction vested in the district court for the Ninety-second Judicial District under the Constitution and general laws of this State, said court shall have and exercise jurisdiction over all civil matters over which, by general law, the county court of Hidalgo county would have original jurisdiction, except as in this act otherwise specially provided.

(d) From and after the taking effect of this act, the county court of Hidalgo county shall cease to have or exercise any civil jurisdiction, except as hereinafter specified and enumerated, nor shall the judge thereof be restricted or deprived of any duties, rights or powers now vested in him or required of him by the general laws except the civil jurisdiction by this act transferred from said court to the district court for the Ninety-second Judicial District.

The county court of Hidalgo county shall have and retain jurisdiction of all cases appealed from the justice courts, and the general jurisdiction of a probate court as provided by the Constitution and laws of this State, and the county court or the judge thereof shall have power to issue all writs necessary to the enforcement of the jurisdiction of said court in all matters the jurisdiction of which, by this act, is not transferred from said court to the district court of the Ninety-second Judicial District.

(e) The clerk of the district courts of Hidalgo county shall, upon the taking effect of this act, assume the duties of clerk of the Ninety-second District Court, and shall thereafter perform the duties of such, as though the court had existed at the time of his election. He shall promptly prepare a docket for the Ninety-second District Court, placing thereon all cases then on file in the Seventy-

ninth District Court, such cases as may be filed in the Ninety-second District Court, and such cases as may be transferred to said court.

(f) The letters "A" and "B" shall be placed upon the docket and court papers in the respective district courts of Hidalgo county to distinguish them; "A" being used in connection with the Ninety-third District Court, and "B" being used in connection with the Ninety-second District Court.

(g) All suits and proceedings hereafter instituted in the district courts of Hidalgo county shall be numbered consecutively, beginning with the next number after the last file number on the docket of any existing court, and shall be entered upon the dockets of said courts in the same manner as provided in paragraph (f) of this section.

(h) All civil and criminal cases on the docket of the criminal court of Hidalgo county for the Seventy-ninth Judicial District at the time of the taking effect of this act are hereby transferred to the district court for the Ninety-second Judicial District hereby created, and all processes and writs issued out of the district court of Hidalgo county, Seventy-ninth Judicial District, are hereby made returnable to the district court of Hidalgo county, Ninety-second Judicial District, and said writs and processes, as well as judgments, orders and decrees thereof, are hereby legalized in all respects and shall be enforced as if had in or issued out of the district court of the Ninety-second Judicial District, such cases so transferred shall take their numbers on the docket of the district court of Hidalgo county, Ninety-second Judicial District, in the order in which they at the time of transference appear on the docket of the district court of Hidalgo county, Seventy-ninth Judicial District, as though filed in the district court of Hidalgo county, Ninety-second Judicial District, as new cases.

(i) All civil cases, the jurisdiction of which are transferred by this act to the court herein created, on the docket of the county court of Hidalgo county at the time this act becomes effective are hereby transferred to the district court of Hidalgo county, Ninety-second Judicial District, and the judge of the county court shall promptly make the proper

orders transferring same; and all processes and writs issued out of the county court of Hidalgo county in matters over which jurisdiction is hereby transferred to the court created hereby shall be considered returnable to the district court of Hidalgo county, Ninety-second Judicial District, and said writs and processes are hereby legalized in all respects. Such cases so transferred shall take their numbers on the docket of the district court of Hidalgo county, Ninety-second Judicial District, in the order in which they then appear on the docket of the county court of Hidalgo county, as though filed in the district court of Hidalgo county, Ninety-second Judicial District, as new cases; provided, that their numbers shall follow and be successive of those numbers assigned to cases transferred from the district court of Hidalgo county, Seventy-ninth Judicial District, to the district court of Hidalgo county, Ninety-second Judicial District.

(j) The respective judges of the Ninety-third and Ninety-second Judicial Districts shall, from time to time, as occasion may require, transfer cases or other proceedings from one court to the other in order that business may be equally distributed between them, that the judges of both of said courts may at all times be provided with cases, or other proceedings to be tried or otherwise considered, and that the trial of no case or other proceedings need be delayed because of the disqualification of the judge in whose court it is pending; and the judges of such courts may, in their discretion, exchange benches or districts from time to time, and either of them may in his own court room try and determine any case or proceeding pending in the other court without having the case transferred, or may sit in the other court and there hear and determine any case pending, and every judgment and order shall be entered in the minutes of the court in which the case is pending, and at the time the judgment or order is rendered. The judge of either of said courts may issue restraining orders and injunctions returnable to the other judge or court.

(k) The district judge and the district attorney of the Seventy-ninth Judicial District as of the effective date of this act shall continue to hold their offices until their successors

shall have been elected and qualified, but the Governor, upon this act taking effect, shall appoint a suitable person possessing qualifications prescribed by the Constitution and laws of this State as judge of the district court of the Ninety-second Judicial District of Texas, as herein constituted, and such person shall hold said office until the next general election, and until his successor shall have been elected and qualified, and thereafter the judge of the district court of the Ninety-second Judicial District of Texas shall be elected as prescribed by the Constitution and laws of this State for the election of district judges. There shall be elected for four years by the qualified voters of Hidalgo county, beginning with the next general election after the taking effect of this act, a judge for the Ninety-second Judicial District of Texas, whose powers and duties shall be the same as other district judges, together with all the additional powers and duties prescribed by this act, and who shall receive such salary as is now or may hereafter be prescribed by law for district judges.

Sec. 3. The importance of this legislation and the crowded condition of the calendar requires the suspension of the constitutional rule requiring bills to be read on three several days in each house, and said rule is hereby suspended, and this act shall take effect as of the date herein provided, and it is so enacted.

Respectfully submitted,

LEONARD,
WEST of Cameron,
POPE,
DAVIS,
KELLER,

On the part of the House;

PARR,
RUSSEK,
WOODUL,
GAINER,
HOPKINS,

On the part of the Senate.

On motion of Mr. Leonard, the report was adopted.

HOUSE BILL NO. 258, WITH SENATE AMENDMENTS.

Mr. Van Zandt called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 258, A bill to be entitled "An Act amending Article 7150, Section 1, of the Revised Civil Statutes of 1925, of the State of Texas, by adding thereto a provision exempting a dwelling place for the ministry of such church or religious society, and declaring an emergency."

The Speaker laid the bill before the House, and the Senate amendments were read.

On motion of Mr. Van Zandt, the House concurred in the Senate amendments.

BILL ORDERED NOT PRINTED.

On motion of Mrs. Rountree (by unanimous consent), Senate bill No. 124 was ordered not printed.

SENATE BILLS ON FIRST READING.

The following Senate bills, received from the Senate today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

Senate bill No. 620, to the Committee on Judiciary.

Senate bill No. 602, to the Committee on Public Printing.

Senate bill No. 244, to the Committee on State Affairs.

Senate joint resolution No. 18, to the Committee on Constitutional Amendments.

Senate bill No. 507, to the Committee on Game and Fisheries.

Senate bill No. 553, to the Committee on Insurance.

SENATE BILL NO. 612 ON SECOND READING.

(By Unanimous Consent.)

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 612, A bill to be entitled "An Act providing for the granting of certain easements to the United States government in a portion of the present and former bed of Sabine Lake in and adjacent to the Port Arthur Canal and the Sabine-Neches Canal; providing the means and manner thereof; providing exceptions and the purposes thereof, and declaring an emergency."

The bill was read second time, and was passed to third reading.

RECESS.

On motion of Mr. Morse, the House, at 5:20 o'clock p. m., took recess to 7:30 o'clock p. m. today.

On motion of Mr. Satterwhite (by unanimous consent), the House agreed to recess at the conclusion of the joint session, to 9 o'clock a. m. tomorrow.

NIGHT SESSION.

The House met at 7:30 o'clock p. m., and was called to order by the Speaker.

NOTICE GIVEN.

Mr. Lemens gave notice that he would, on tomorrow, move to take up, for consideration at that time, House bill No. 605, which bill had heretofore been laid on the table subject to call.

ADDRESS BY HON. JOUETT SHOUSE.

In accordance with a concurrent resolution heretofore adopted providing for a joint session of the House and Senate to hear an address by the Hon. Jouett Shouse, the Honorable Senate, escorted by Bob Barker, Secretary of the Senate, appeared at the bar of the House and, being announced, were escorted to seats prepared for them along the aisle.

Hon. Jouett Shouse, accompanied by Hon. Ross Sterling, Governor; Hon. Edgar Witt, Lieutenant Governor; Hon. Jed Adams, and Senators, Small, Hopkins, Parr, Martin, Moore and Woodward, Messrs. McCombs, Harrison of El Paso, Warwick, Wagstaff, McGregor, Keller and Beck, committees on the part of the House and Senate to escort the visitor to the Hall of the House, appeared at the bar of the House and, being admitted, occupied seats on the Speaker's stand.

Lieutenant Governor Edgar Witt occupied a seat on the right of the Speaker.

Hon. Fred H. Minor, Speaker, called the House of Representatives to order.

Lieutenant Governor Edgar Witt called the Senate to order, and stated that the two houses were in joint session for the purpose of hearing an address by Hon. Jouett Shouse.

Lieutenant Governor Witt presented Mr. Jed Adams, who in turn introduced Mr. Shouse.

Mr. Shouse then addressed the joint session and the assemblage.

At the conclusion of the address, the Senate retired to its chamber.

RECESS.

The House at 9:30 o'clock p. m., in accordance with a motion by Mr. Satterwhite, heretofore adopted, took recess to 9 o'clock a. m. tomorrow.

APPENDIX.

STANDING COMMITTEE REPORTS.

The following committees have filed favorable reports on bills, as follows:

Highways and Motor Traffic: Senate bill No. 31.

Common Carriers: Senate bill No. 594.

State Affairs: Senate bills Nos. 521, 616 and 238.

Appropriations: Senate bills Nos. 124, 502 and 415, House bill No. 1053.

Judicial Districts: Senate bill No. 619.

REPORT OF THE COMMITTEE ON ENGROSSED BILLS.

Committee Room,

Austin, Texas, May 9, 1931.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 508, A bill to be entitled "An Act making appropriations to pay the salaries of officers and employes of certain educational institutions and other expenses of maintaining and conducting them as follows, to-wit: The Agricultural and Mechanical College of Texas, State Experimental Station, the North Texas Junior Agricultural College, John Tarleton Agricultural College, Prairie View State Normal and Industrial College, the University of Texas, including the Medical Branch at Galveston and the College of Mines and Metallurgy at El Paso, College of Industrial Arts, Texas Technological College, East Texas State Teachers College at Commerce, North Texas State Teachers College at Denton, Sam Houston State Teachers College at Huntsville, Stephen F. Austin State Teachers College at Nacogdoches, the Texas College of Arts and Industries at Kingsville, Southwest

Texas State Teachers College at San Marcos, Sul Ross State Teachers College at Alpine, West Texas State Teachers College at Canyon, Texas School for the Blind, and Texas School for the Deaf, for the years beginning September 1, 1931, and ending August 31, 1933, and declaring an emergency,"

Have carefully compared same and find it correctly engrossed.

JUSTISS, Chairman.

REPORTS OF THE COMMITTEE ON ENROLLED BILLS.

Committee Room,
Austin, Texas, May 11, 1931.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 61, Relative to correction of certain House bill:

Be it resolved by the House of Representatives of the Forty-second Legislature, the Senate concurring, That the Enrolling Clerk of the House be, and is hereby, authorized to change the word "or" in the fourth line from the bottom on page 3 of House bill No. 355 to the word "and,"

Have carefully compared same and find it correctly enrolled.

BOUNDS, Vice-Chairman.

Committee Room,
Austin, Texas, May 12, 1931.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 62, Relative to correction of certain House bill,

Have carefully compared same and find it correctly enrolled.

COX of Lamar, Chairman.

Committee Room,
Austin, Texas, May 12, 1931.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 915, "An Act making it unlawful for any person in using a seine or net for the taking of any fish in Cass or Bowie counties to disturb, agitate or beat upon or in the waters at the time of using said seines or nets; fixing a penalty, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled.

COX of Lamar, Chairman.

Committee Room,
Austin, Texas, May 12, 1931.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. R. C. No. 46, Relative to sine die adjournment,

Be it resolved by the House of Representatives, the Senate concurring, That the Regular Session of the Forty-second Legislature of the State of Texas stand adjourned sine die at 12 o'clock noon, May 22, 1931,

Have carefully compared same and find it correctly enrolled.

COX of Lamar, Chairman.

Committee Room,
Austin, Texas, May 12, 1931.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 355, "An Act to amend Article 3914, Chapter 2, Title 61, Revised Civil Statutes of Texas, 1925, relating to fees collected by the Secretary of State, and providing for the collection of filing fees from foreign and domestic corporations and fixing a method of computing the same, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled.

COX of Lamar, Chairman.

FIFTY-THIRD DAY.

(Continued.)

(Wednesday, May 13, 1931.)

The House met at 9 o'clock a. m., and was called to order by Speaker Minor.

MOTION FOR SPECIAL ORDER.

Mr. Keller moved that Senate bill No. 317 be set as a special order for 10 o'clock a. m. Thursday, May 14.

The motion was lost.

HOUSE BILL NO. 241, WITH SENATE AMENDMENTS.

Mr. Satterwhite called up from the Speaker's table, with Senate amendments, for consideration of the amendments,